



State of Connecticut  
SENATOR DONALD E. WILLIAMS, JR.  
*Twenty-ninth District*  
President Pro Tempore

**Testimony before the Judiciary Committee  
Senator Donald E. Williams, Jr.**

**In Support of Proposed Senate Bill 491: An Act Concerning Harassment of a  
Victim of Violent Crime or a Relative of a Victim of Violent Crime**

**March 31, 2014**

Senator Coleman, Representative Fox, and members of the committee, thank you for this opportunity to testify in support of Proposed Senate Bill 491, ***AAC CONCERNING HARASSMENT OF A VICTIM OF VIOLENT CRIME OR A RELATIVE OF A VICTIM OF VIOLENT CRIME***. The impetus for this proposal came from events that occurred in the aftermath of the unthinkable tragedy in Newtown. Several of the families who lost loved ones reported receiving harassing communications directly from third parties, regarding the horrific violent crime. The families believed that many of these communications were fully intended to cause them further emotional pain.

Under current Connecticut law, there is no crime specifically punishing such intentional harassment of victims of violent crime or their families. Instead, such harassment would likely be punishable only as a class C misdemeanor, with up to three months in prison and a \$500 fine, as Harassment in the Second Degree under C.G.S. section 53a-183. This statute punishes any written or telephonic communication intended to harass, annoy or alarm any individual, whether or not such individual has already been the victim of a violent crime or is a family member of such victim.

I believe this existing penalty is not strong enough. Moreover, harassment like that directed at the Newtown families should be specifically punished. It is particularly depraved to intentionally inflict further emotional pain on vulnerable victims of violent crime or their families. More than a class C misdemeanor is required to fit the seriousness of this crime, both as a deterrent and punishment.

Pursuant to Senate Bill 491, such intentional harassment of victims of violent crime, or their families, would now be a class A misdemeanor, punishable by up to a year in prison and a \$2000 fine. The bill would amend section 53a-183, by adding as a specific, enhanced Harassment in the Second Degree offense, behavior where: "with the intent to harass, annoy or alarm a victim of violent crime or the relative of a victim of violent



crime, such person communicates with such victim or the relative of such victim regarding the violent crime by means of written, oral or electronic communication.” The bill would define “violent crime” as any crime “in which the underlying facts and circumstances of the crime involve the use, attempted use or threatened use of physical force against another person”. That is the existing statutory language contained in subdivision (b)(1)(b) of C.G.S. section 54-125a, defining the violent crimes for which perpetrators must serve 85% of their sentence before being released on parole.

Thus, Senate Bill 491 would add an additional enhanced specific intent crime to the existing Harassment in the Second Degree statute. The perpetrator must intend to communicate with a violent crime victim or their family member about the crime itself. They must further intend that their communication harass, annoy or alarm the victim or family member to whom it is directed. The bill would not punish, as a general matter, the particular content of any speech. If an individual chooses to communicate something to a general audience, instead of directly to a protected victim or family member, this bill would not criminalize such behavior as Harassment in the Second Degree (although it might be punishable under other, existing law). Senate Bill 491 would instead punish a perpetrator’s *intentional conduct*. It would punish the conduct of intentionally communicating directly to a victim of a violent crime or their family member regarding the crime, with the specific, prior intent that such communication would cause the recipient to feel harassed, annoyed or alarmed. As under current Connecticut law regarding harassment, the content of the communication, while not directly punishable in and of itself, would serve as evidence of the perpetrator’s intent.

I look forward to working with the chairs and members of this committee on this much needed piece of legislation that would be so beneficial to victims of violent crime and their families. Thank you.